

CALL TO ORDER

Mayor Severino opened the meeting at 7:05 p.m.

“Sunshine Law” Announcement: Adequate notice of this public meeting has been provided by the Annual Notice; mailed electronically to the Hunterdon Democrat and Courier News; posted on the public bulletin board and on file in the Municipal Clerk’s Office.

FLAG SALUTE

ROLL CALL - Present: Mr. Haynes, Mr. Severino, Mr. Bischoff, Mr. Mazza, Mrs. Dziubek

Absent: None

Others Present: J. Peter Jost, Esq., Bob Clerico, Township Engineer and Ella M. Ruta, Municipal Clerk

APPROVAL OF PRIOR MEETING MINUTES

a. Regular and Executive Meeting Minutes of September 1, 2010

Mr. Bischoff had comments on pages 2 & 3 that reported the same information. The page 3 information deleted.

Mr. Bischoff made a motion to approve the stated meeting minutes, as amended. Mrs. Dziubek seconded. Vote: Ayes – Mr. Severino, Mr. Bischoff, Mr. Mazza, Mrs. Dziubek. Abstain: Mr. Haynes. Motion carried.

VISITORS

The Pattenburg House - Re: Conditions attached to the Liquor License – no one present

REPORTS RECEIVED

- Road Dept - Weeks Ending 8/27/10; 9/03/10
- Tax Collector Report – August 2010
- Engineer’s Report – written report submitted
 - Will meet with Tax Assessor to review tax map updates required at this time.
 - Perryville Road State Aid Grant. As discussed and decided at the last meeting.
 - Lookout Pointe – Started work on final surface course today.
 - Wachovia Bank Site – Ongoing, as mentioned at the last meeting.
 - The Engineer provided the Attorney with building sample demo specifications for the Hoffman House.
- UTEC – Agenda. Mr. Harclerode emailed Mrs. Dziubek with details of the Sidney Brook Partners Project. Meeting scheduled for Tuesday, September 21st at 4:30 p.m.

Mr. Clerico left the meeting at 7:15 p.m.

CORRESPONDENCE/WRITTEN COMMUNICATIONS

Mr. Bischoff mentioned the following correspondence:

- Mayors Fax Advisory - Re: League’s Mayors Committee Update on Unfunded Mandates & Best Practices. Reminder to consider passing the draft resolution the League prepared (7/14 Dear Mayor letter and website).
- Mayors Fax Advisory – Re: County Tax Board Appeals Survey. Our Tax Assessor has responded.
- Mayors Fax Advisory – Re: 2010 NJLM Conference Resolutions. No conference resolutions at this point.

- Mayors Fax Advisory – Re: American Recovery and Reinvestment Act. Forward to UTEC.
- Mayors Fax Advisory – Re: NJ Alert, The State's New Mass Text and Email Emergency Notification System. Copy to OEM, Bruce Hirt.
- Twp. Of Clinton Planning Board – Public Notice. Attorney Jost will look at the application documents.
- US Concrete Inc. – Re: Us Concrete Completes Reorganization.
- NJDEP – 2010 NJ Shade Tree Federation Annual Meeting. Briefly discussed.

Mr. Mazza mentioned the following correspondence: None

Mrs. Dziubek mentioned the following correspondence:

- NJ American Water – Re: Merger Notification. Mayor Severino asked if we have specific agreements for the water services. DEP is the regulator, the Township is not involved.
- Mayors Fax Advisory - Re: League's Mayors Committee Update on Unfunded Mandates & Best Practices. Financial affect on emergency services. Copy to Fire Company and Rescue Squad.

Mr. Haynes mentioned the following correspondence: None

PUBLIC COMMENTS

- Bruce Hirt/OEM – Needs a computer to replace old OEM computer. Committee will speak with CFO.

Mr. Mazza made a motion to authorize the purchase of a replacement computer for the OEM not to exceed \$1,000. Vote: Ayes – Mr. Haynes, Mr. Severino, Mr. Bischoff, Mr. Mazza, Mrs. Dziubek.

- Debbie Hirt, Pattenburg – Rental of the Hoffman House. Mrs. Hirt presented an oral proposal for potential tenant at the Hoffman House. She asked the Committee to postpone plans for demolition as decided at the prior Committee meeting. Discussed was an extent of repairs needed and cost to the house. Mrs. Hirt will have more information and introduce potential tenant at the October 6th meeting.

PUBLIC HEARING

ORDINANCE NO. 2010-6

AN ORDINANCE OF THE TOWNSHIP OF UNION, HUNTERDON COUNTY, NEW JERSEY APPROPRIATING THE SUM OF \$126,720 AS THE TOWNSHIP'S SHARE FOR FARMLAND PRESERVATION OF BLOCK 30, LOT 28 IN THE TOWNSHIP OF UNION

Mr. Bischoff made a motion to open the Public Hearing. Mr. Mazza seconded. Vote: Ayes – Mr. Haynes, Severino, Mr. Bischoff, Mr. Mazza, Mrs. Dziubek. Motion Carried.

There being no further comments from the public on Ordinance #2010-6, Mrs. Dziubek moved to close the Public Hearing. Mr. Mazza seconded. Vote: Ayes – Mr. Haynes, Mr. Severino, Mr. Bischoff, Mr. Mazza, Mrs. Dziubek. Motion Carried.

Mrs. Dziubek made a motion to adopt the above Ordinance #2010-6. Mr. Mazza seconded. Vote: Ayes – Mr. Haynes, Mr. Severino, Mr. Bischoff, Mr. Mazza, Mrs. Dziubek. Motion Carried.

OLD BUSINESS

Discussion – Accepting Property Tax Payments via Credit and Debit cards – Info from Tax Collector. Tabled, waiting for additional information.

NEW BUSINESS

a. The following resolution was introduced for adoption:

RESOLUTION 2010 – 128
Approving Cost Share Agreement for Block 30, Lot 28 (Approx 64 acres ±)
Farmland Preservation Program (Roerig Farm)

WHEREAS, the owner of property known as Block 30, Lot 28, as same is shown on the Tax Map of the Township of Union has placed the property in the County of Hunterdon PIG Program (2009 Funding Round) for preservation of a development rights easement upon said property pursuant to the State Agricultural Retention and Development Act; and

WHEREAS, the property is approximately 64 acres, plus or minus. Said acreage being subject to verification by survey; and

WHEREAS, the easement value has been certified by the State Agricultural Development Committee (“SADC”) at \$9,900.00 per acre; and

WHEREAS, the County of Hunterdon CADB cost share is 20% (\$1,980.00 per acre) per easement acre; and

WHEREAS, SADC will cost share 60% (\$5,940.00 per acre) per easement acre; and

WHEREAS, the Township desires to cost share 20% (\$1,980.00 per acre) per easement acre; and

WHEREAS, Union Township will agree to cost share for the Development Easement, to be acquired by the County, based upon this cost sharing plan;

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Union, in the County of Hunterdon, State of New Jersey, as follows:

1. Union Township agrees to cost share 20% (\$1,980.00 per easement acre) of the SADC certified value of the following farm, which is approximately \$126,720.00 plus or minus, based upon survey of actual acreage:

Block 30, Lot 28 in the Township of Union, County of Hunterdon, State of New Jersey; Approximately 64 acres (plus or minus), subject to survey;
Development Easement Area

2. The approval is subject to availability of SADC funding for the property;

BE IT FURTHER RESOLVED, that a copy of this Resolution shall be sent to the Hunterdon County Agriculture Development Board, and the State Agriculture Development Committee.

Mr. Bischoff made a motion to approve the above Resolution. Mr. Mazza seconded. Vote: Ayes – Mr. Haynes, Mr. Severino, Mr. Bischoff, Mr. Mazza, Mrs. Dziubek. Motion carried.

Discussion – The Proposed Renewable Energy Ordinance – To the Planning Board.

NEW ORDINANCE – 1st Reading

REPORTS

Attorney's Report – Mr. Jost reported the following:

- Resolution to auction off the Milligan Farmhouse. To be considered at the next meeting. Attorney Jost pointed out several issues to be resolved to get the property ready for auction.
- Ordinance re: Park Committee. The Attorney will review wording of the Ordinance.
- “Best Practices”. Discussion of individual questions.

Mr. Mazza made the following motion. It is hereby established as the policy of Union Township that elected officials shall comply with NJ State Statutes regarding absence from meetings.

Be it resolved by the Union Township Committee that the Township hereby established the following absence at meeting policy that elected officials and planning board members shall comply at a minimum with the State Statutes, with the exception of extenuating circumstances. Mr. Bischoff seconded. Vote: Ayes – Mr. Haynes, Mr. Severino, Mr. Bischoff, Mr. Mazza, Mrs. Dziubek. Motion carried.

- Letter to NJDOT. The Attorney will request a letter of apology from the NJDOT with regard to a court case questioning posting and approval of the 4-way stop sign at the County Route 614 and 579 in the Twp. of Union.

Mayor's Report - Mayor Severino reported the following: None

Committee Report

Mr. Haynes reported the following: None

Mrs. Dziubek reported the following:

- Employee letter asking to be included in the family health care program.

Mr. Mazza reported the following: None

Mr. Bischoff reported the following:

- “Beer is proof that God loves us and wants us to be happy.” Benjamin Franklin
- Highlands Bill passed and the pool appraisal method has been extended for the Highlands area for an additional five years.
- Asked to be registered for Luncheon at the NJLM Conference. All Committee members attending the Conference asked to be registered as well.
- August Report for UT Municipal Court.
- Has items for Executive Session.
- Waiting for Mr. Hintz’s explanation of billings (separation of COAH and Highlands charges). Mr. Balzano has submitted bills.
- Would like a list/survey of the Township roads that are in need of paving. The Township should inquire of Congressman Lance for availability of Stimulus Money for Roads. Mr. Mazza will contact Road Dept. for information on the roads.
- Request from the resident for Affordable Housing Unit in the Township. The Township Affordable Housing Administrator, HAS (Housing Affordability Services) should be contacted by the interested party. Also, COAH service list for notification should be updated with current information.

- Email from Bill Harclerode regarding an application for Sustainable NJ, Diversity on Boards and Commissions. Brief discussion on accuracy of the information submitted by Mr. Harclerode.

Mr. Severino reported the following: None

Clerk's Report - None

PUBLIC COMMENTS

Michele McBride, UTEC. Quotes to clean Milligan House presented and discussed.

PAYMENT OF THE BILLS

The Mayor requested that Voucher 22234 from Van Cleef Engineering, for \$929.00 for the review of the NJDOT submission of documentation regarding Frontage Rd. project plans be removed from the list. Mrs. Dziubek requested typo correction under the Mayberry Sales & Service for the Weed Wacker.

Mr. Mazza moved that all claims against the Township of Union as appearing in the Claims Register of this date, except of the PO #22234 to Van Cleef Engineering be paid and that all checks listed hereinafter be issued in payment thereof. Mrs. Dziubek seconded. Vote: Ayes – Mr. Haynes, Mr. Severino, Mr. Bischoff, Mr. Mazza, Mrs. Dziubek. Motion Carried.

EXECUTIVE SESSION - Contract negotiations and Personnel.

The following resolution introduced for adoption:

RESOLUTION #2010-129

Providing for a Meeting Not open to the Public in Accordance with the Provisions of the New Jersey Open Public Meetings Act, N.J.S.A. 10:4-12

WHEREAS, the Township Committee of the Township of Union is subject to certain requirements of the *Open Public Meetings Act*, N.J.S.A. 10:4-6, et. seq.; and

WHEREAS, the *Open Public Meetings Act*, N.J.S.A. 10-4-12, provides that an Executive Session, not open to the public, may be held for certain specified purposes when authorized by Resolution; and

WHEREAS, it is necessary for the Township Committee of the Township of Union to discuss in a session not open to the public certain matters relating to the item or items authorized by N.J.S.A. 10:4-12b and designated below:

1. *Matters Relating to Litigation, Negotiations and the Attorney-Client Privilege:* Any pending or anticipated litigation or contract negotiation in which the public body is, or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is require in order for the attorney to exercise his ethical duties as a lawyer.
2. *Matters Relating to the Employment Relationship:* Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all the individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Union, assembled in Executive session on September 15, 2010, at 9:56 p.m. in the Union Township Municipal Building, 140 Perryville Road, Hampton, New Jersey, for the discussion of matters relating to the specific items designated above.

It is anticipated that the deliberations conducted in closed session may be disclosed to the public upon the determination of the Township Committee that the public interest will no longer be served by such confidentiality.

Mr. Bischoff made a motion to approve the above resolution. Mrs. Dziubek seconded. Vote: Ayes – Mr. Haynes, Mr. Severino, Mr. Bischoff, Mrs. Dziubek. Mr. Mazza temporarily left the room. Motion carried.

At 10:06 p.m., Mrs. Dziubek made a motion to come out of Executive Session. Mr. Haynes seconded. Vote: Ayes – Mr. Severino, Mr. Bischoff, Mr. Mazza, Mrs. Dziubek. Motion carried.

Mrs. Dziubek made a motion for a policy decision to notify all professionals working for the Township that no work should be done without an authorizing resolution. Mr. Bischoff seconded. Vote: Ayes – Mr. Haynes, Mr. Severino, Mr. Bischoff, Mr. Mazza, Mrs. Dziubek. Motion carried.

Mrs. Dziubek will compose the letter. The Clerk will mail it to all Township professionals.

ADJOURNMENT – There being no further business to come before the Township Committee at this time, Mr. Haynes made a motion to adjourn. Mrs. Dziubek seconded the motion. Motion carried by unanimous favorable roll call vote.

Meeting adjourned at approximately 10:12 p.m.

Respectfully submitted,

Ella M. Ruta, RMC
by Pat Essig
Administrative Assistant